

Order

Michigan Supreme Court
Lansing, Michigan

December 22, 2021

Bridget M. McCormack,
Chief Justice

162706 & (75)

SUSAN CHRISTIE,
Plaintiff-Appellee,

v

WAYNE STATE UNIVERSITY,
Defendant-Appellant.

SC: 162706
COA: 350321
Wayne CC: 19-004888-CD

Brian K. Zahra
David F. Viviano
Richard H. Bernstein
Elizabeth T. Clement
Megan K. Cavanagh
Elizabeth M. Welch,
Justices

On order of the Court, the application for leave to appeal the January 28, 2021 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on the application. MCR 7.305(H)(1).

The appellant shall file a supplemental brief addressing: (1) whether the appellee's claims against the appellant, which were filed in the circuit court, are subject to MCL 600.6431(1)'s notice requirements, see *Tyrrell v Univ of Michigan*, ___ Mich App ___ (2020) (Docket No. 349020), app disp, ___ Mich ___ (2021) (Docket No. 162707); and (2) whether the order denying the appellant's motion for summary disposition, which asserted governmental immunity, is a final order that is appealable by right, see MCR 7.202(6)(a)(v). The appellant's brief shall be filed by February 28, 2022, with no extensions except upon a showing of good cause. In the brief, citations to the record must provide the appendix page numbers as required by MCR 7.312(B)(1). The appellee shall file a supplemental brief within 21 days of being served with the appellant's brief. A reply, if any, must be filed by the appellant within 14 days of being served with the appellee's brief. The parties should not submit mere restatements of their application papers. The motion to consolidate is DENIED.

We direct the Clerk to schedule the oral argument in this case for the same future session of the Court when it will hear oral argument in *Elia Cos, LLC v Univ of Mich Regents* (Docket No. 162830).


Amici who appeared at the application stage are invited to file supplemental briefs amicus curiae. Other persons or groups interested in the determination of the issues presented in this case may move the Court for permission to file briefs amicus curiae.



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I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

December 22, 2021


Clerk